

Tuesday, March 12, 2013

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank Mecham, Bruce S. Gibson, Adam Hill, Debbie Arnold and Chairperson Paul A. Teixeira

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON PAUL A. TEIXEIRA.

Consent Agenda – Review and Approval:

1-7. This is the time set for consideration of the Consent Agenda.

Chairperson Teixeira: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 7 on the following vote is indicated for each item.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Teixeira, Paul A. (Chairperson)	x			
Gibson, Bruce S. (Vice-Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Consent Agenda - Administrative Office Items:

1. The Administrative Office recommends cancelling the April 9, 2013 Board of Supervisors’ meeting because of an offsite community emergency management training being held the week of April 7-12, 2013.

Mr. Eric Greening: speaks.

The Board approves as recommended by the County Administrative Officer.

2. Request to appoint Supervisor Debbie Arnold (District 5) to the Oversight Board of the Successor Agency to the former City of Atascadero Redevelopment Agency.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Auditor - Controller Items:

3. Request to: 1) amend Fund Center 107 - Auditor-Controller's Office fixed asset list to add a magnetic ink character recognition (MICR) check printer and related software and hardware; and 2) approve a corresponding budget adjustment in the amount of \$19,802 from unanticipated revenues.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - General Services Agency Items:

4. Request to approve a two year contract with the California Hot Dog Co. in the amount of \$5,000 per year to be paid to County Parks and Recreation. The contract will allow the California Hot Dog Co. to provide food and beverage vending through the use of a food vendor cart and related services at the

Avila Beach Front Street Plaza near San Francisco Street. District 3.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

- 5. Submittal of a resolution amending the Position Allocation List for Fund Center 166 - Behavioral Health by adding one half-time Mental Health Therapist position to replace an equivalent number of temporary Mental Health Therapist hours.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-44, adopted.

Consent Agenda - Public Works Items:

- 6. Submittal of a resolution to accept a portion of Quicksilver Way, County Road No. 4356 and additional right of way width of Vineyard Drive, County Road No. 5156 into the County maintained road system, community of Templeton. District 1.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-45, adopted.

- 7. Submittal of a resolution authorizing execution of notice of completion and acceptance of the construction of the Bridge Widening on Price Canyon Road near Edna. District 3.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-46, adopted.

Public Comment Period:

- 8. This is the time set for members of the public wishing to address the Board on matters other than scheduled items.

Mr. Brian Stacy: requests an audit regarding funds allocated to conduct the low energy seismic surveys.

Mr. Ben DiFatta: comments on Supervisor Gibson and the Los Osos Wastewater Project (LOWWP).

Mr. Eric Greening: comments on the impacts to PG&E's low energy seismic testing; and the legislative platform regarding the California's Environmental Quality Act (CEQA).

Mr. Linda Owen: requests a job description for Legislative Assistants; the cost for the investigation between Supervisor Gibson and his Legislative Assistant; and the LOWWP.

Mr. Mike Brown - Coalition of Labor, Agricultural and Business (COLAB): presents and discusses documentation regarding the Senate Bill No. 1 Sustainable Communities Investment Authority.

Mr. David Broadwater: comments on the recent public comments at Board meetings and the rules and procedures regarding the conduct of public comment period.

Mr. Bill Clark: addresses the need for proper notification regarding Santa Margarita Advisory Council elections. **No action taken.**

Board Business:

- 9. Consideration of a request for direction on three options for amending/replacing San Luis Obispo County Code Chapter 8.13 Land Application of Treated Sewage Sludge/Biosolids.

(This Item is amended, per the Addendum to the Agenda, by replacing the Negative Declaration document. The wrong document was inadvertently attached at the time the item was created.)

Chairperson Teixeira: opens the floor to public comment.

Mr. Eric Greening, Ms. Linde Owen, Mr. David Broadwater (documentation), Mr. David Hix - City of San Luis Obispo Utilities Department Deputy Director, Mr. Bruce Keogh – City of Morro Bay Wastewater Division Manager, Mr. Greg Kester – California Association of Sanitation Agencies (CASA) Biosolids Program Manager, Mr. John Wallace, Ms. Joy Fitzhugh – Farm Bureau, Ms. Lisa Bonnier and Ms. Lisa Bodrogi: speak.

The Board directs staff to extend the existing Land Application of Treated Sewage Sludge/Biosolids interim ordinance until March 2017 and prepare the necessary hearing items; develop a work plan and funding requirements to continue the consideration of a permanent ordinance, with efforts directed towards testing the constituents of sludge that might be applied to land sites; and work with the Integrated Waste Management Authority to evaluate and research alternative techniques for biosolids disposal.

Motion by: Bruce S. Gibson
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Teixeira, Paul A. (Chairperson)	x			
Gibson, Bruce S. (Vice-Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

10.
- Consideration of a request to approve and adopt a Fleet Vehicle Selection Criteria Policy for the purchase of County vehicles and to aid in the reduction of vehicle emissions. All Districts.

Chairperson Teixeira: opens the floor to public comment without response.

The Board approves the Fleet Vehicle Selection Criteria Policy and directs staff to apply the policy to vehicle purchases in Fiscal Year 2013/14 and to review the utilization of existing vehicles. Furthermore, staff is directed to work on establishing a dollar value for carbon reduction, and to analyze the potential use of State programs such as carbon intensity credits and zero emission vehicle credits to maximize the County’s cost effectiveness.

Motion by: Adam Hill
Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Teixeira, Paul A. (Chairperson)	x			
Gibson, Bruce S. (Vice-Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Closed Session Items:

11.
- I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:

A. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 1. Significant exposure to litigation (Government Code, section 54956.9(b).) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. 2. Initiation of litigation (Government Code, section 54956.9(c).) No. of cases 2.

Chairperson Teixeira: states there are no items to discuss in Closed Session. No action taken.

Presentations:

12. Submittal of a resolution proclaiming March 10 - 16, 2013 as “National AmeriCorps Week” in San Luis Obispo County and honoring the Cal Poly Volunteer Infrastructure Project Americorps Program.

Mr. Patrick Fina: speaks.

RESOLUTION NO. 2013-47, a resolution declaring March 10 - 16, 2013 as “National Americorps Week” and honoring the Cal Poly Volunteer Infrastructure Project Americorps Program, adopted.

Motion by: Frank R. Mecham

Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Teixeira, Paul A. (Chairperson)	x			
Gibson, Bruce S. (Vice-Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Hearings:

13. Hearing to consider the 2010-2012 Biennial Summary Report of the Resource Management System (RMS) that summarizes the condition of the following resources throughout the county: water supply and systems, wastewater treatment, roads and U.S. Highway 101, parks, and schools. All Districts.

Chairperson Teixeira: opens the floor to public comment.

Mr. Muril Clift – Cambria Community Services District (CSD) Director, Mr. Michael LeBrun – Nipomo CSD General Manager, Mr. Eric Greening, Ms. Mayhala Burton and Ms. Elizabeth Bentenhousen: speak.

The Board approves the 2010-2012 Biennial Resource Summary Report and recommendations, leaving the Cayucos water system at a level of severity 3 and continuing the consideration of the Level of Severity for the Cambria Water Supply. Furthermore, directs staff to implement the applicable recommendations of the 2010-2012 Biennial Resource Summary Report; continue to work with the Cambria Community Services District (CSD) and this Board to resolve issues regarding the level of severity for the Cambria water supply and future County actions in response to potential will serve issuances.

Motion by: Bruce S. Gibson

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Teixeira, Paul A. (Chairperson)	x			
Gibson, Bruce S. (Vice-Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Supervisor Gibson: urges staff, as they move forward with the RMS system, to continue the considerations of formatting the RMS Report; establish a clear guidance of how to report success and remove levels of severity; and consider involving our partners region wide for a better regional view of our resources which cross jurisdictional boundaries.

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, March 12, 2013, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: March 20, 2013